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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 RODNEY JESSE SAN NICOLAS,

11 Petitioner,

12 v.

13 RON DAVIS, Warden of San Quentin State
14 Prison,

15 Respondent.
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Case No. 1:06-cv-00942-DAD-SAB

DEATH PENALTY CASE

ORDER UPON STIPULATION MODIFYING
SCHEDULING ORDER

(Doc. Nos. 156 & 162)

17 Before the court is the parties' stipulation filed December 23, 2016, proposing to modify
18 the court's September 23, 2015 scheduling order to omit reference to and vacate scheduling for
19 any motion(s) for discovery, expansion of the record, and/or evidentiary hearing, pending the
20 court's analysis of claims under 28 U.S.C. § 2254(d).

21 Upon consideration of the record, the parties' stipulation and authorities cited therein, and
22 for good cause shown:

- 23 1. The scheduled dates for filing and briefing any motion(s) for discovery, expansion
24 of the record, and/or evidentiary hearing, (Doc. No. 156 at 2:9-14), are vacated.
25 Rescheduling may be addressed following the court's §2254(d) analysis of the
26 record claims.

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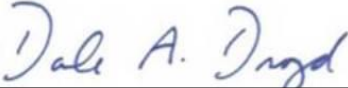
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2. In all other regards the September 23, 2015 scheduling order shall continue in full force and effect.

IT IS SO ORDERED.

Dated: December 28, 2016


UNITED STATES DISTRICT JUDGE